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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts

LABOUR, SKILL DEVELOPMENT AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 5th August, 2025

CODE ON SOCIAL SECURITY, 2020.

No. GR/2025/116/PGA/172021/24659/M3:- The following draft of rules, which is proposed to be issued under sub-section (1) of section 154 and sub-section (1) of section 156 of the Code on Social Security, 2020 (36 of 2020) is published as required under sub-section (1) of 156 of the Code, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government of Gujarat after the expiry of a period of forty five days from the date of publication of this rules in the *Official Gazette.*

Any objection or suggestion which may be received by the Deputy Secretary, Labour, Skill Development and Employment Department, Block No. 5, 6th Floor, New Sachivalaya, Gandhinagar or by email ds-labour-led@gujarat.gov.in from any person with respect to the said draft rules before the expiry of the aforesaid period will be considered by the Government.

DRAFT NOTIFICATION

CODE ON SOCIAL SECURITY, 2020.

No. GR/2025/116/PGA/172021/24659/M3 :- In exercise of the powers conferred by sub-section (1) of section 154 and sub-section (1) of section 156 of the Code on Social Security, 2020 (36 of 2020) , the Government of Gujarat hereby makes the following rules further to amend the Code on Social Security (Gujarat) Rules, 2023, namely:-

1. (1) These rules may be called the Code on Social Security (Gujarat) (Amendment) Rules, 2025.

(2) They shall come into force on the date of their publication in the *Official Gazette.*

2. In the Code on Social Security (Gujarat) Rules, 2023 (hereinafter reffered to as "the said rules"), in rule 7, in sub-rule (a), in second proviso, the words "Five years", the words " One year" shall be substituted.

3. In the said rules, in Chapter V, in PART I, the rule 14 shall be substituted, namely:-

(i) " 4: Deposit of funeral expenses:-

The manner of deposit of funeral expenses to the fatal Injury of the employees resulted in death under sub-section (7) of section 76 of the Code:-

(1) If the injury of the employee results in death, the employer shall, in addition to the compensation under sub-section (1) extend the following:

(a) The employer shall deposit with the competent authority a sum of Fifteen thousand rupees or the higher amount as prescribed by the Central Government from time to time, within Forty Eight hours of such incident towards funeral expenses of such funeral of the deceased employee to the eldest surviving dependents of the employee who met with fatal /injury employee resulted in death excluding the transport charges of the body:

Provided that the competent authority shall calculate the actual transport charges from the place of death/accident/Hospital to the native place of the deceased employee or to the place where the dependents of the deceased desired to perform the rituals and pass an order to that extent and the employer shall deposit the same with the competent authority within Forty Eight hours of the death:

Provided further that where the employee did not have dependent or not living with his dependents at the time of his death, funeral expenses and transport charges shall be paid who actually incurred the said expenses:

Provided also that such funeral expenses and transport charges prescribed, shall be in addition to the compensation under sub-section (1) of section 76.

(ii) after rule 14, the following rule shall be inserted namely: -

"**14A.** When application may be made without medical certificate. -

Application for review of a half-monthly payment under section-79 may be made without being accompanied by a medical certificate-

(a) by the employer on the ground that since the right to compensation was determined the Employee's wages have increased;

(b) by the Employee, on the ground -

(i) that since the right to compensation was determined his wages have diminished, or (ii) that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no such change in the Employee's conditions as to warrant such cessation;

(c) either by the employer or by the Employee, on the ground (i) that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means, or

(ii) that in the determination of compensation there has been a mistake or an error apparent on the face of the record.".

4. In the said rules, for rule 70, the following rule shall be substituted, namely:-

" 70 : Powers of the Board to implement any scheme of State Government:

(1) The Gujarat Building and Other Construction Workers Welfare Board shall

a) Pay such amount in connection with premium for Group Insurance Scheme of the beneficiaries

b) Frame educational schemes for the benefit of children of the beneficiaries, and

c) Meet such medical expenses for treatment of major ailments of beneficiary or such dependents as may be notified by the state Government from time to time.

(2) In the exercise of the power and the discharge of its function, the Board may implement any schemes of the State Government which deems fit, for the benefit of the building workers and the members of their family.".

5. In the said rules, in rule 79, in sub-rule (1), for the words "four months" shall be substituted by the word "three months" shall be substituted.

6. In the said rules, after rule 89, the following rule shall be added namely:-

" 89 A. Borrowing of funds and benefit funds for staff.-

The State Government for such matters under sub-section (3) and (4) of Section 120 and in consultation with State Unorganised Social Security Board and the State Building and Other Construction Workers Welfare Board shall frame a detailed policy and notify from time to time.".

7. In the said rules, for FORM-IV, the following FORM shall be substituted, namely:-

"FORM-IV

[(see rule 6(1), (2), (3) and (4)]

Nomination/Fresh Nomination/Modification of Nomination

(Strike out the words not applicable)

To. . ...

(Give here name or description of the establishment with full address)

1. I, Shri/Shrimati/Kumari.....(Name in full here) whose particulars are given in the statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of section 2 of Code on Social Security, 2020 with effect from the ..... (date here) in the manner indicated below and therefore nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

or

I, Shri/Shrimati/Kumari..... (Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date ..... and recorded under your reference No..... dated ……shall stand modified in the following manner-

**Strike out unnecessary portion.*

2. I hereby certify that the person(s) mentioned is/are a member(s) of my family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020.

3. I hereby declare that I have no family within the meaning of clause (33) of section 2 of the said Code.

(a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

4. I have excluded my husband from my family by a notice dated the..... to the competent authority in terms of clause (33) of section 2 of the said Code.

5. Nomination made herein invalidates my previous nomination.

Nominee(s)

S. No.	Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1. 2. 3. So on				

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being rendered dependent or through other process like adoption)

Statement

1. Name of employee in full
2. Sex
3. Religion
4. Whether unmarried/married/widow/widower
5. Department/Branch/Section where employed
6. Post held with Ticket No. or Serial No., if any
7. Date of appointment
8. Permanent address:

Village.. . . . . Thana. . ... Sub-division……Post-Office. .. . .

Pin-Code..... District..... State.....

E.mail ID..... Mobile Number.....

Place:

Date: Signature/Thumb-impression of the Employee

DECLARATION BY WITNESSES

Fresh nomination signed/thumb-impressed before me.

Name in full and full address of witnesses: Signature of witnesses:

1…… 1…….

2……. 2……..

Place……..

Date……..

Certificate by the Employer

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's Reference No., if any

Signature of the employer/Officer authorized

Date: Designation:

Name and address of the establishment or rubber stamp thereof.

Acknowledgement by the Employee

Received the duplicate copy of nomination in **Form-IV** filed by me and duly certified by the employer.

Date: .....

Signature of the Employee”

By order and in the name of the Governor of Gujarat,

GAGUBHA RAJ,

Deputy Secretary to Government.

Signature Not Verified
Signed by:BHOLUSINGH G THAKUR
Date: 2025.08.23 12:55:42 +05:30
Reason: Validate Document
Location: Government Central Press, Gandhinagar